

S U M M A R Y A C T I O N M I N U T E S



REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA

Tuesday, November 19, 2002, 9:30 A.M.

BOARD HEARING ROOM, FIRST FLOOR
10 Civic Center Plaza
Santa Ana, California

CYNTHIA P. COAD
CHAIR
Fourth District

THOMAS W. WILSON
VICE CHAIR
Fifth District

CHARLES V. SMITH
SUPERVISOR
First District

JAMES W. SILVA
SUPERVISOR
Second District

TODD SPITZER
SUPERVISOR
Third District

ATTENDANCE: All Present

EXCUSED: None

PRESENT:	COUNTY EXECUTIVE OFFICER	Michael Schumacher
	COUNTY COUNSEL	Benjamin P. de Mayo
	CLERK OF THE BOARD	Darlene J. Bloom

INVOCATION: Supervisor Smith, First District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Spitzer, Third District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Chair Coad introduced Honorable M. Finbar Hill, Consul General of Ireland

Supervisor Wilson presented a resolution honoring The Irvine Company as title sponsor and Trails4All as host organization of the 6th Annual "Inner-Coastal and Watershed Cleanup Day"

Supervisor Wilson presented a resolution recognizing Crime Prevention Month

Chair Coad presented a resolution proclaiming November 2002 as "National Adoption Awareness Month"

Chair Coad presented a resolution proclaiming November 2002 as "Grand Jury Awareness Month"

Chair Coad presented a resolution recognizing Todd Spitzer as Assemblyman Elect - 71st District

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II. CONSENT CALENDAR (Items 1-74)

- 53124 **APPROVED AS RECOMMENDED WITH THE EXCEPTIONS OF ITEMS 39 & 61 WHICH WERE DELETED; ITEM 16 WHICH WAS CONTINUED TO 12/17/02, 9:30 A.M.; ITEMS 51 & 68-73 WHICH RECEIVED A NO VOTE FROM SUPERVISOR SILVA; AND ITEMS 7 & 63 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

Chair Coad:

1. Orange County Cemetery Board - Reappoint Frank C. Brix, Sr., Anaheim, for term ending 11/7/06
2. Senior Citizens Advisory Council - Reappoint Leslie Gardner, Anaheim, for term ending 12/31/04 and Yvonne Mitchell, Placentia, for term ending 12/31/03
3. **Supervisor Silva** - Senior Citizens Advisory Council - Reappoint Pat Davis and Dick White, Huntington Beach, for terms ending 12/31/04
4. **Supervisor Wilson** - Animal Control Advisory Board - Appoint Kay Bennett, Santa Ana, for term ending 10/8/04

COMMENDATIONS/PROCLAMATIONS

5. **Supervisor Silva** - Adopt resolution recognizing and congratulating Becky Esparza for her twenty years of dedicated volunteer service
RESO: 02-350
6. **Supervisor Smith** - Adopt resolution commending Police Chief James I. Cook on his retirement from Westminster Police Department
RESO: 02-351

COMMUNITY SERVICES AGENCY

7. Receive and file 2001-2002 Orange County Human Relations Commission report - All Districts
- 24135 **APPROVED AS RECOMMENDED**
8. Approve sublease extension #L-1704 with State Department of General Services for office space, for One-Stop Center, Mission Viejo; and make California Environmental Quality Act findings - District 5

HEALTH CARE AGENCY

9. Approve agreements with Feedback Foundation, Inc. (\$89,000), Senior Meals and Services, Inc. (\$89,000) and South County Senior Services (\$89,000) for Senior Ethnic Meal Pilot Program services, 11/19/02 - 10/31/03 - All Districts
10. Approve agreement with State Department of Alcohol and Drug Programs for Drug Court Partnership Act of 2002 Grant funds, 7/1/02 - 6/30/03 (\$408,875) - All Districts

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11. Approve price agreement N1000004858 with Info X, Inc. for software maintenance and support for Veri-Claim software for electronic verification of Medi-Cal and Medicare claims, 11/19/02 - 11/18/06 (\$144,805) - All Districts

INTEGRATED WASTE MANAGEMENT DEPARTMENT

12. Approve continuance of emergency and make appropriate findings pursuant to Public Contract Code Section 22050(c)(1) for recent sudden and unexpected movement in landslide mass and necessary emergency repair to complete work, Frank R. Bowerman landfill; set review to determine continuing need for emergency action for 12/10/02, 9:30 a.m. and every 14 days thereafter - District 3 (4/5 vote) (Continued from 9/10/02, Item 61; 9/24/02, Item 64; 10/8/02, Item 6; 10/22/02, Item 13; 11/5/02, Item 17)

JOHN WAYNE AIRPORT

13. Approve continuance of emergency and make appropriate findings pursuant to Public Contract Code Section 22050(c)(1) for installation of explosion detection systems; set review to determine continuing need for emergency action for 12/10/02, 9:30 a.m. and every 14 days thereafter - District 2 (4/5 vote) (Continued from 8/20/02; Item S29C, 8/27/02, Item S57A; 9/10/02, Item 14; 9/24/02, Item 13; 10/8/02, Item 8; 10/22/02, Item 15; 11/5/02, Item 19)

ORANGE COUNTY PUBLIC LIBRARY

14. Authorize submission of grant application to and acceptance of grant award from California State Library for Public Library Staff Education Program, FY 2002-03 (\$13,480) - All Districts
15. Approve reduction or repeal of various fines and fees for certain library services, effective 12/2/02; and make California Environmental Quality Act and other findings - All Districts

PLANNING AND DEVELOPMENT SERVICES

16. Receive and file Economic Feasibility Study for proposed Military Museum at the former MCAS Tustin Blimp Hangar - District 3
- 53124 **CONTINUED TO 12/17/02, 9:30 A.M.**

PUBLIC FACILITIES AND RESOURCES DEPARTMENT

17. Accept work with American Restoration and Construction for replacement of playground and fitness cluster equipment, Yorba Regional Park (\$153,816.81); and authorize remaining payment to First National Insurance Company of America - District 3
18. Approve change order 9 with Tait Environmental Management, Inc. for re-installation of soil vapor extraction system, Central Garage, Santa Ana (\$19,582; new total \$325,222.80) - District 1
19. Authorize Auditor-Controller to issue payment to the Ocean Institute for installation of Stormwater Best Management Practices System, Dana Point Harbor (\$205,814) - District 5
20. Accept work with Sandoval Construction for modifications/improvements of facilities for ADA compliance, Dana Point Harbor; project completed 8/30/02 (\$88,676.83) - District 5

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21. Approve in concept Tustin Avenue widening project; approve Negative Declaration IP00-047; and make California Environmental Quality Act findings - Districts 3 & 4
22. Approve agreement 02-0029C with the State Department of Pesticide Regulation for mandated enforcement of pesticide permit regulations, 7/01/02 - 6/30/03 (\$61,705) - All Districts
23. Reject all bids received 10/9/02, for Crescent Basin recreational improvements - District 4
24. Adopt resolution approving grant agreement 02-201-026 with State Boating and Waterways for purchase of four sailboats, Dana Point Harbor Youth & Group Facility; and authorize Director to execute subsequent amendments under certain conditions - District 5
RESO: 02-352
25. Approve price agreement N1000004837 with Joe Rhodes Maintenance Service, Inc. for automated fuel system repair service, 11/20/02 - 11/19/03 (\$31,000); renewable for two additional years; and make California Environmental Quality Act findings - All Districts
26. Adopt resolution authorizing submittal of applications for Orange County Transportation Funding Program funds for street improvements, FYs 2003-08; and approve project rankings - All Districts
RESO: 02-353
27. Adopt resolution approving submission of grant application to State Department of Transportation for the Carbon Creek Bikeway project; and authorize Director or designee to execute related documents and subsequent amendments - Districts 2 and 4
RESO: 02-354

Acting as the Orange County Flood Control District:

28. Approve plans and specifications and set bid opening for 12/18/02, 2:00 p.m., for restoration of Serrano Creek Habitat between Bake Parkway and Trabuco Road; and make California Environmental Quality Act findings - District 5
29. Approve agreement to quitclaim easement to Pico La Pata, LLC for construction of retaining wall, Segunda Deshecha Channel (\$2830); and make California Environmental Quality Act and other findings - District 5
30. Approve agreement D02-110 with P&D Environmental for on-call capital project resource permit services (\$200,000) - All Districts
31. Approve three-year license with J.T. Restaurants, L.P. for restaurant parking, Katella Yard, Anaheim; and make California Environmental Quality Act and other findings - District 4
32. Adopt resolution vacating easements along San Juan Creek; approve and accept easement from KB Home Coastal, Inc. for ingress and egress purposes; and make California Environmental Quality Act findings - District 5
RESO: 02-355

S U M M A R Y A C T I O N M I N U T E S

Acting as the Board of Supervisors and Orange County Flood Control District:

- 33. Approve agreement D02-109 with Keeton Kreitzer for on-call environmental services (\$200,000); and authorize Director or designee to execute extensions under certain conditions - All Districts
- 34. Approve agreement D02-111 with PCR Services Corporation for on-call capital project resource permit services (\$200,000); and authorize Director or designee to extend agreement under certain conditions - All Districts
- 35. Approve amended agreement D98-028 with The Irvine Company for construction of Orchard Estates Retarding Basin - District 3

SOCIAL SERVICES AGENCY

- 36. Approve amended Wraparound Orange County Plan and Memorandum of Understanding with State Department of Social Services for delivery of wraparound services for child replacement - All Districts
- 37. Approve amendment 2 to agreement CMM1201 with Foster Assessment Center and Testing Service for Independent Living Skills Program, 12/1/01 - 6/30/03 (\$24,100; new total \$46,500) - All Districts
- 38. Approve sublease agreement with Maximus, Inc. for Foster Care Eligibility Program office space, Cypress; and make California Environmental Quality Act findings - District 2

PUBLIC PROTECTION

Probation:

- 39. Select Community Service Programs as primary and Orange County Youth and Family Services as alternate firms for Juvenile Diversion Program services; and authorize negotiation of agreement for Board approval - All Districts
- 53124 **DELETED**
- 40. Approve price agreement N1000004853 with L.A. Cha Maintenance Company for janitorial maintenance services, 909 North Main Street, Santa Ana, 12/1/02 - 11/30/03 (\$83,830.92); renewable for two additional years - District 1

Sheriff-Coroner:

- 41. Adopt resolution approving lease agreement with State Department of Forestry and Fire Protection for Sheriff-Coroner on-call helicopter services - All Districts
RESO: 02-356
- 42. Approve agreement with National University for professional educational services, James A. Musick facility, 12/1/02 - 11/30/04; renewable for three additional years - District 3
- 43. Approve agreement with Enforcement Support Agency for automated field reporting system (\$196,000) - All Districts

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- 44 . Select T.M.A.D. Engineers as primary and TOFT WOLFF FARROW, INC. as alternate firms for review and design of electrical, data and conduit requirements for new health management information system; and authorize negotiation of agreement for Board approval - Districts 1 & 3
- 45 . Approve amended price agreement N2000002278 with Exterminetics of Southern California, Inc. for insect, pest and rodent control services at various Sheriff-Coroner, Probation and CEO facilities, term ending 11/3/04 (\$10,000 per year; new total \$92,900); and authorize purchasing agent to amend agreement under certain conditions - All Districts
- 46 . Approve price agreement N1000004849 with California Service Bureau for warrant reduction services (\$40,000); renewable for two additional years - All Districts

GENERAL ADMINISTRATION

Auditor-Controller:

- 47 . Receive and file Report of Refunds for FY 2001-02 - All Districts
- 48 . Receive and file Fund/Agency Semi-Annual Report for FY 2001-02 - All Districts
- 49 . Receive and file Annual Report of Revolving Funds for FY 2001-02 - All Districts
- 50 . Receive and file Annual Report of Cash Difference Funds, Overage Fund and Cash Losses for FY 2001-02 - All Districts
- 51 . **Chair Coad** - Approve Community Social Program Grant funds to Anaheim Family YMCA; approve budget adjustment; and make appropriate findings, 11/19/02 - 5/31/03 (\$15,000)

53124 **APPROVED AS RECOMMENDED**

N

Clerk of the Board:

- 52 . Approve 2003 Board of Supervisors Meeting Schedule - All Districts
- 53 . Approve and adopt proposed amendments to the Conflict of Interest Code for the Orange County Department of Education - All Districts
- 54 . Approve and adopt proposed amendments to the Conflict of Interest Code for the Laguna Beach County Water District - All Districts
- 55 . Approve and adopt proposed amendments to the Conflict of Interest Code for the Santa Ana Unified School District - All Districts
- 56 . Approve and adopt proposed amendments to the Conflict of Interest Code for the Rancho Canada Financing Authority - All Districts
- 57 . Approve and adopt proposed amendments to the Conflict of Interest Code for the El Toro Water District - All Districts

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58. Approve and adopt proposed amendments to the Conflict of Interest Code for the Laguna Beach Unified School District - All Districts
59. Approve and adopt proposed amendments to the Conflict of Interest Code for the Irvine Unified School District - All Districts
60. Approve and adopt proposed amendments to the Conflict of Interest Code for the Ocean View School District and the Centralia School District - All Districts

County Counsel:

61. Approve substitution of Resources Law Group, LLP for Beveridge and Diamond to provide litigation services in case of Spirit of the Sage Council v. Babbitt 98-1873 (EGS) D.D.C.; approve agreement with Resources Law Group, LLP for litigation services, effective 3/8/00 - All Districts
- 53124 **DELETED**
62. **Acting as the Board of Supervisors and MCAS EL Toro Redevelopment Authority -** Adopt resolution authorizing County Counsel stipulating to stay all pending litigation between ETRPA and County regarding EIR 563 and EIR 573 - All Districts
RESO: 02-357

Chair Coad:

63. Adopt resolution proclaiming intent to establish a People to People Friendship agreement with Hangzhou
- 41235 **APPROVED AS RECOMMENDED**
RESO: 02-358

County Executive Office:

64. Approve purchase of software and support services from Valicert, Inc (\$41,310); approve price agreement N1000004846 with Valicert, Inc. for software maintenance services, 11/19/03 - 11/18/04; renewable for three additional years (\$6,885 per year) - All Districts
65. Approve Memorandum of Understanding with Santa Ana, Santa Ana Redevelopment Agency and Orange County Transportation Authority for negotiations related to potential acquisition of Fruit Street Parcel - District 1
66. Approve Records Control Schedules 332A - 342A for implementation by Public Facilities and Resources Department; authorize continuing disposition of records in accordance with the schedules; and delete Records Control Schedules 68C, 69C, 70B, 72A, 96C, 99C, 108A, 132A, 133A, 168A, 176A - 179A, 186A - 218A, 230A - 242A, and 264A - 270A - All Districts
67. Approve Records Control Schedules 343A - 344A for implementation by Treasurer-Tax Collector; authorize continuing disposition of records in accordance with the schedules; and delete Records Control Schedules 169B - 175B, and 262A - 263A - All Districts

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Supervisor Smith:

68. Approve Community Social Program Grant funds to The Nicholson Pipe Drums Band; approve budget adjustments; and make appropriate findings, 11/19/02 - 6/30/03 (\$2,000)
53124 **APPROVED AS RECOMMENDED**
N
69. Approve Community Social Program Grant funds to Loaves and Fishes Soup Kitchen; approve budget adjustments; and make appropriate findings, 11/19/02 - 6/30/03 (\$4,000)
53124 **APPROVED AS RECOMMENDED**
N
70. Approve Community Social Program Grant funds to Abrazar Community Service and Education Center; approve budget adjustments; and make appropriate findings, 11/19/02 - 6/30/03 (\$3,000)
53124 **APPROVED AS RECOMMENDED**
N
71. Approve Community Social Program Grant funds to Helping Others Prepare for Eternity; approve budget adjustments; and make appropriate findings, 11/19/02 - 6/30/03 (\$1,000)
53124 **APPROVED AS RECOMMENDED**
N
72. Approve Community Social Program Grant funds to The Interval House Crisis Shelters; approve budget adjustments; and make appropriate findings, 11/19/02 - 6/30/03 (\$4,000)
53124 **APPROVED AS RECOMMENDED**
N
73. Approve Community Social Program Grant funds to Mexican American Opportunity Foundation; approve budget adjustments; and make appropriate findings, 11/19/02 - 6/30/03 (\$4,000)
53124 **APPROVED AS RECOMMENDED**
N
74. **Treasurer-Tax Collector** - Approve price agreement N1000004868 with Moody's Investors Service for Investment Grade Corporate and ABCP Credit Research Program, 11/1/02 - 10/31/03 (\$35,288.13); renewable for four additional years; and authorize Purchasing Agent to amend agreement under certain conditions - All Districts

END OF CONSENT CALENDAR

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III. DISCUSSION ITEMS (Items 75-S92B)

HEALTH CARE AGENCY

75. Approve acceptance of award letter from State Department of Health Services for Local Assistance Funding for Tuberculosis Control and Prevention, 7/1/02 - 6/30/03 (\$931,593) - All Districts

51234 **APPROVED AS RECOMMENDED**

76. Approve amendment A-2 to agreement 01-15089 with State Department of Health Services for AIDS related services, 7/1/01 - 6/30/04 (\$83,611; new total \$9,453,607) - All Districts

15234 **APPROVED AS RECOMMENDED**

HOUSING AND COMMUNITY DEVELOPMENT

77. **Acting as the Orange County Housing Authority** - Approve amendments to regulatory agreement declaration of restrictive covenants loan agreement and promissory note with Costa Mesa Village Ltd. for restructuring of the Orange County Housing Authority loan; authorize director or designee to execute related documents; and make California Environmental Quality Act and National Environmental Policy Act findings - District 2

23154 **APPROVED AS RECOMMENDED**

78. **Acting as the Board of Supervisors and Orange County Development Agency** - Approve amended cooperative agreement with Cypress for design, construction and maintenance of Belmont Street, Merten Avenue and Sumner Place; adopt resolution declaring portions as County Highways for right-of-way and construction purposes; approve Right of Entry form; approve reprogramming of Community Development Block Grant funds; and make California Environmental Quality Act and other findings; and **Acting as Orange County Development Agency** - make appropriate findings - District 2

24135 **APPROVED AS RECOMMENDED**

RESO: 02-359

INTEGRATED WASTE MANAGEMENT DEPARTMENT

79. Approve amended price agreement N1000004106 with Safety-Kleen (California), Inc. for household hazardous waste collection, packing, transportation and disposal services, effective 9/6/02; approve assignment of agreement from Safety-Kleen (California), Inc. to clean Harbors Environmental Services, Inc.; and authorize Auditor-Controller to refund security deposit to Safety-Kleen, Inc. (\$1,190,000) - All Districts

52134 **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

80. Select a primary and alternate firm from ranked list for operation of parking facilities and courtesy shuttle bus services; and make California Environmental Quality Act and other findings - District 2

25134 **APPROVED AS RECOMMENDED; SELECTED PARKING CONCEPTS, INC. AS PRIMARY AND AMPCO SYSTEM PARKING, INC. AS ALTERNATE FOR PARKING FACILITIES AND COURTESY SHUTTLE BUS SERVICES**

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PUBLIC FACILITIES AND RESOURCES DEPARTMENT

81. Second reading and adoption of "An Ordinance of the County of Orange, California Adding Sections 5-6-100 Through 5-6-129, Pertaining to Cable Television and Customer Service Standards" - All Districts (Continued from 11/5/02, Item 90)
31254 **APPROVED AS RECOMMENDED**
ORD: 02-009
82. Approve continuance of emergency and make appropriate findings pursuant to Public Contract Code Section 22050(c)(1) for installation of negative pressure, HEPA filtered mechanical system, Health Care Agency Public Health Laboratory; set review to determine continuing need for emergency action for 12/10/02, 9:30 a.m. and every 14 days thereafter - District 1 (4/5 vote) (Continued from 11/5/02, Item 92)
13254 **APPROVED AS RECOMMENDED**
83. Ratify execution of Acquisition Contract for purchase of Barham Ranch from Orange Unified School District for addition to Santiago Oaks Regional Park (\$4,593,000) - District 3
35124 **APPROVED AS RECOMMENDED**
84. Approve the dissolution of County Services Areas No. 4 and 25, disbursement of fund balances to Aliso Viejo; and approve related budget adjustments - District 5
52134 **APPROVED AS RECOMMENDED**
85. Approve price agreement N1000004659 with Waters and Faubel for implementation of public and education element, Orange County Municipal Stormwater Program (\$780,000); renewable for two additional years - All Districts
53124 **APPROVED AS RECOMMENDED**
86. **Acting as the Orange County Flood Control District** - Select Epic Land Solutions, Inc. and Overland Resources, Inc. as primary and Paragon Partners Ltd. as alternate firms for on-call real estate services, Prado Dam acquisition project; and authorize negotiation of agreement for Board approval - All Districts
51234 **APPROVED AS RECOMMENDED**
87. **Acting as the Board of Supervisors and Orange County Flood Control District** - Select Huitt-Zollars, Inc., Towill, Inc. and The Keith Companies as primary and Johnson-Frank & Associates, Inc., David Evans and Associates and Psomas and Associates as alternate firms for on-call surveying services, Prado Dam acquisition and various projects; and authorize negotiation of agreements for Board approval - All Districts
23154 **APPROVED AS RECOMMENDED**

PUBLIC PROTECTION

Sheriff-Coroner:

88. Approve amendment 5 to agreement with Villa Park for law enforcement services, 7/1/02 - 6/30/03 - District 3
31254 **APPROVED AS RECOMMENDED**

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89. Approve amendment 7 to Agreement with Stanton for law enforcement services, 7/1/02-2/12/03 (\$3,547,049) - District 2

23154 **APPROVED AS RECOMMENDED**

90. Ratify emergency purchase order PC 060 L0019330.03 public works project with LAD Construction, Inc. for replacement of water-damaged walls and floors to stop water leakage from dishwashing operations and to correct unhealthful and unsafe conditions, Theo Lacy Jail kitchen (\$215,000); set review on 12/10/02, 9:30 a.m., and every 14 days thereafter; and make appropriate findings - District 3

31254 **APPROVED AS RECOMMENDED**

91. Approve price agreement N1000004861 with Southwest Mortuary Services for on-call body transport services, 12/1/02 - 11/30/03 (\$300,000); renewable for four additional years - All Districts

21354 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

92. **Assessor Department** - Approve agreement with State Department of Finance for participation in State County Property Tax Administration Grant Program for FY 2002-03; establish Fund 127 for budgetary and accounting purposes - All Districts (RA 4 4/5)

31254 **APPROVED AS RECOMMENDED**

PUBLIC FACILITIES AND RESOURCES DEPARTMENT

- S92A. Adopt resolutions allocating Fourth District Discretionary Proposition 12 funds to projects submitted by Housing and Community Development Department and Harbors, Beaches and Parks and appointing Director or designee as agent to negotiate and execute necessary documents under certain conditions for completion of projects; and authorizing the State to reallocate County funds to project submitted by Anaheim - District 4

41235 **APPROVED AS RECOMMENDED**
RESO: 02-360 - 02-363

GENERAL ADMINISTRATION

- S92B. **Chair Coad** - Adopt resolution recognizing Todd Spitzer as Assemblyman Elect - 71st District

51234 **APPROVED AS RECOMMENDED**
RESO: 02-364

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IV. PUBLIC HEARINGS (Items 93-95)

PLANNING AND DEVELOPMENT SERVICES

93. Public Hearing to consider adopting resolution approving Zone Change ZC01-01 (Tonner Hills Planned Community Program Text, development map and statistical summary table); and adopt "An Ordinance of the County of Orange, California, amending the County of Orange zoning map by rezoning certain land from the A1(O) District to the PC (O) District, (Tonner Hills Planned Community) and adopting the Tonner Hills Planned Community Program in accordance with the zoning code of Orange County (ZC 01-01)" - District 3

B.O. **CLOSED PUBLIC HEARING**

- 32154 **APPROVED AS AMENDED TO: CERTIFY FINAL EIR 581; ADOPT RESOLUTION APPROVING ZONE CHANGE ZC01-01 (TONNER HILLS PLANNED COMMUNITY PROGRAM TEXT, DEVELOPMENT MAP AND STATISTICAL SUMMARY TABLE); ADOPT AN ORDINANCE ESTABLISHING THE TONNER HILLS PLANNED COMMUNITY ZONING DISTRICT; AND TO AMEND THE PLANNED COMMUNITY REGULATIONS FOR THE PUBLIC USE AREA TO PROHIBIT BUS STORAGE AND MAINTENANCE YARDS**

RESO: 02-365 - 02-366

ORD: 02-010

94. Approve Memorandum of Understanding with Brea and Nuevo Energy Company for orderly planning, development, and annexation of proposed Tonner Hills Planned Community property - District 3

B.O. **CLOSED PUBLIC HEARING**

- 32154 **APPROVED AMENDED MEMORANDUM OF UNDERSTANDING WITH CITY OF BREA AND NUEVO ENERGY COMPANY REVISING SECTION 1.3 CHANGING THE DEADLINE FOR FILING THE APPLICATION FOR ANNEXATION FROM 1/15/03 TO 1/30/03**

95. Public hearing to consider adopting "An Ordinance of the County of Orange, California, Approving Development Agreement 2001-1 for the Tonner Hills Planned Community"; adopting resolution approving development agreement 2001-1 with Nuevo Energy Company; and making California Environmental Quality Act and other findings - District 3

B.O. **CLOSED PUBLIC HEARING**

- 32154 **APPROVED AS RECOMMENDED**

RESO: 02-367

ORD: 02-011

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V. CLOSED SESSION (Items CS-1-SCS6)

GENERAL ADMINISTRATION

County Counsel:

- CS-1. CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION: County Counsel requests a closed session to discuss with the Board of Supervisors the status of pending litigation pursuant to Government Code Section 54956.9(a). The case is: Frances Swick v. County of Orange, WCAB Case No. ANA 330965 - All Districts
- B.O. **HELD, THE CLERK READ: BY UNANIMOUS VOTE, APPROVED A PROPOSED SETTLEMENT IN THE CASE OF FRANCIS SWICK V. COUNTY OF ORANGE. THE PROPOSED SETTLEMENT REMAINS SUBJECT TO FINAL APPROVAL OF OTHERS. AS SOON AS THE PROPOSED SETTLEMENT BECOMES FINAL, DETAILS WILL BE MADE AVAILABLE IN THE OFFICE OF THE CLERK OF THE BOARD TO ANY PERSON WHO INQUIRES.**
- CS-2. CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION: County Counsel requests a closed session to discuss with the Board of Supervisors the status of pending litigation pursuant to Government Code Section 54956.9(a). The case is: Jerry Krans v. County of Orange, WCAB Case No. AHM 0073334; AHM 0073335 - All Districts
- B.O. **HELD, THE CLERK READ: BY UNANIMOUS VOTE, APPROVED A PROPOSED SETTLEMENT IN THE CASE OF JERRY KRANS V. COUNTY OF ORANGE. THE PROPOSED SETTLEMENT REMAINS SUBJECT TO FINAL APPROVAL OF OTHERS. AS SOON AS THE PROPOSED SETTLEMENT BECOMES FINAL, DETAILS WILL BE MADE AVAILABLE IN THE OFFICE OF THE CLERK OF THE BOARD TO ANY PERSON WHO INQUIRES.**
- CS-3. CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION: County Counsel requests a closed session to discuss with the Board of Supervisors the status of pending litigation pursuant to Government Code Section 54956.9(a). The case is: Louis Granieri v. County of Orange, WCAB Case No. ANA 0359651 - All Districts
- B.O. **HELD, THE CLERK READ: BY UNANIMOUS VOTE, APPROVED A PROPOSED SETTLEMENT IN THE CASE OF LOUIS GRANIERI V. COUNTY OF ORANGE. THE PROPOSED SETTLEMENT REMAINS SUBJECT TO FINAL APPROVAL OF OTHERS. AS SOON AS THE PROPOSED SETTLEMENT BECOMES FINAL, DETAILS WILL BE MADE AVAILABLE IN THE OFFICE OF THE CLERK OF THE BOARD TO ANY PERSON WHO INQUIRES.**
- CS-4. CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION: County Counsel requests a closed session to discuss with the Board of Supervisors the status of pending litigation pursuant to Government Code Section 54956.9(a). The case is: The Lincoln Club of Orange County, et al. v. City of Anaheim, et al., United States District Court, Central District, Case No. SACV02-874 GLT (MLGx) - All Districts
- B.O. **HELD, THE CLERK READ: BY UNANIMOUS VOTE, APPROVED A PROPOSED SETTLEMENT IN THE CASE OF LINCOLN CLUB V. COUNTY OF ORANGE. THE PROPOSED SETTLEMENT REMAINS SUBJECT TO FINAL APPROVAL OF OTHERS. AS SOON AS THE PROPOSED SETTLEMENT BECOMES FINAL, DETAILS WILL BE MADE AVAILABLE IN THE OFFICE OF THE CLERK OF THE BOARD TO ANY PERSON WHO INQUIRES.**

S U M M A R Y A C T I O N M I N U T E S

- CS-5. CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION: County Counsel requests a closed session to discuss with the Board of Supervisors the status of pending litigation pursuant to Government Code Section 54956.9(a). The cases are: County of Orange v. Beardslee, et al., OCSC Case No. 02CC11376; County of Orange v. Hendon One et al., OCSC Case No. 02CC11379; County of Orange v. Parker et al., OCSC Case No. 02CC11381; County of Orange v. Schwendeman et al., OCSC Case No. 02CC11385; County of Orange v. Trabuco Canyon Water Dist. et al., OCSC Case No. 02CC11383; County of Orange v. Trabuco P.W.T. et al., OCSC Case No. 02CC11386; County of Orange v. T-Y Nursery et al., OCSC Case No. 02CC11387; County of Orange v. Yasutake et al., OCSC Case No. 02CC11388 - All Districts
- B.O. **HELD, THE CLERK READ: THE BOARD DIRECTED COUNSEL TO DISMISS THE ACTIONS AND EXECUTE ANY DOCUMENTS NECESSARY TO TERMINATE THE CASES.**
- SCS6. **County Executive Office** - CONFERENCE WITH LABOR NEGOTIATOR - County Executive Office requests a closed session pursuant to Government Code Section 54957.6 with labor negotiator representative, Susan Paul, to discuss terms and conditions for certain represented employees, United Domestic Workers of America, AFSCME, AFL-CIO, In-Home Supportive Services
CONTINUED TO 12/10/02, 9:30 A.M.

VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Archer Muncy - Oral Re: Preservation of MCAS Tustin blimp hanger

Edmon Penyanin - Oral Re: Abuse by law enforcement

Thelma Franks - Oral Re: HUD Program

Frances Williams, Mike Boeck, Bob Coyle - Oral Re: Waste management rate increase

Mike Boeck - Oral Re: Waste Management, Inc. rate increase

BOARD COMMENTS:

Supervisor Spitzer - Oral Re: Resigned as Supervisor effective 5:00 p.m. today

ADJOURNED: 12:45 P.M.

54123 Adjourned in memory of William "Max" Bridges

14235 Adjourned in memory of Corliss Graham

45123 Adjourned in memory of Rod Speer

S U M M A R Y A C T I O N M I N U T E S

*** KEY ***

Left Margin Notes

1. ✓ Supervisor Smith
2. ✓ Supervisor Silva
3. ✓ Supervisor Spitzer
4. ✓ Chair Coad
5. ✓ Supervisor Wilson

- A. ✓ Abstained
X. ✓ Excused
N. ✓ No
BO ✓ Board Order

Right Margin Notes

- O. ✓ Ordinance
R. ✓ Resolution

Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)

CYNTHIA P. COAD, CHAIR
Orange County Board of Supervisors

DARLENE J. BLOOM
Orange County Clerk of the Board